

2003 SB 123 Update

Data through November 30, 2006

Helen Pedigo
Executive Director
Kansas Sentencing
Commission
700 SW Jackson St.
Suite # 501
Topeka KS 66603

Kathleen Graves
Director, Community
Corrections Services
Kansas Department of
Corrections
900 SW Jackson St.
Topeka KS 66612

Agenda

1. Sentencing Report
2. Intervention Activity Report
3. Invoice/Billing Reimbursement Items
4. Recent Results of Senate Bill 123 Process and Implementation Evaluation
5. Questions, Answers and Discussion

Sentencing Activity

SB 123 Court Cases

Sentencing Activity: Court Cases

Program Inception – November 30, 2006

- 4332 SB 123-related Sentences (Cases)
- 3988 Offenders received a SB 123-related Sentence
 - Some offenders have multiple SB 123 sentences
 - Some concurrently running
 - 305 offenders with 2 SB 123 cases
 - 39 offenders show >2 SB 123 cases
- Of 4332 Cases
 - 533 Presentence (12.3%)
 - 3799 Post Sentence (87.7%)

Sentencing Activity: Court Cases

Pre-Implementation *(prior to 11/01/03)*

0.5% of Cases to date

- **18 Cases under SB 123**
 - 15 (83.3%) Pre-Sentence
 - 3 (16.7%) Post-Sentence

FY 2004 *(11/01/03 or later)*

11.3% of Cases to date

- **489 Cases under SB 123**
 - 55 (11.2%) Pre-Sentence
 - 434 (88.8%) Post-Sentence

FY 2005

31.6% of Cases to date

- **1371 Cases under SB 123**
 - 113 (8.2%) Pre-Sentence
 - 1258 (91.8%) Post-Sentence

FY 2006

38.6% of Cases to date

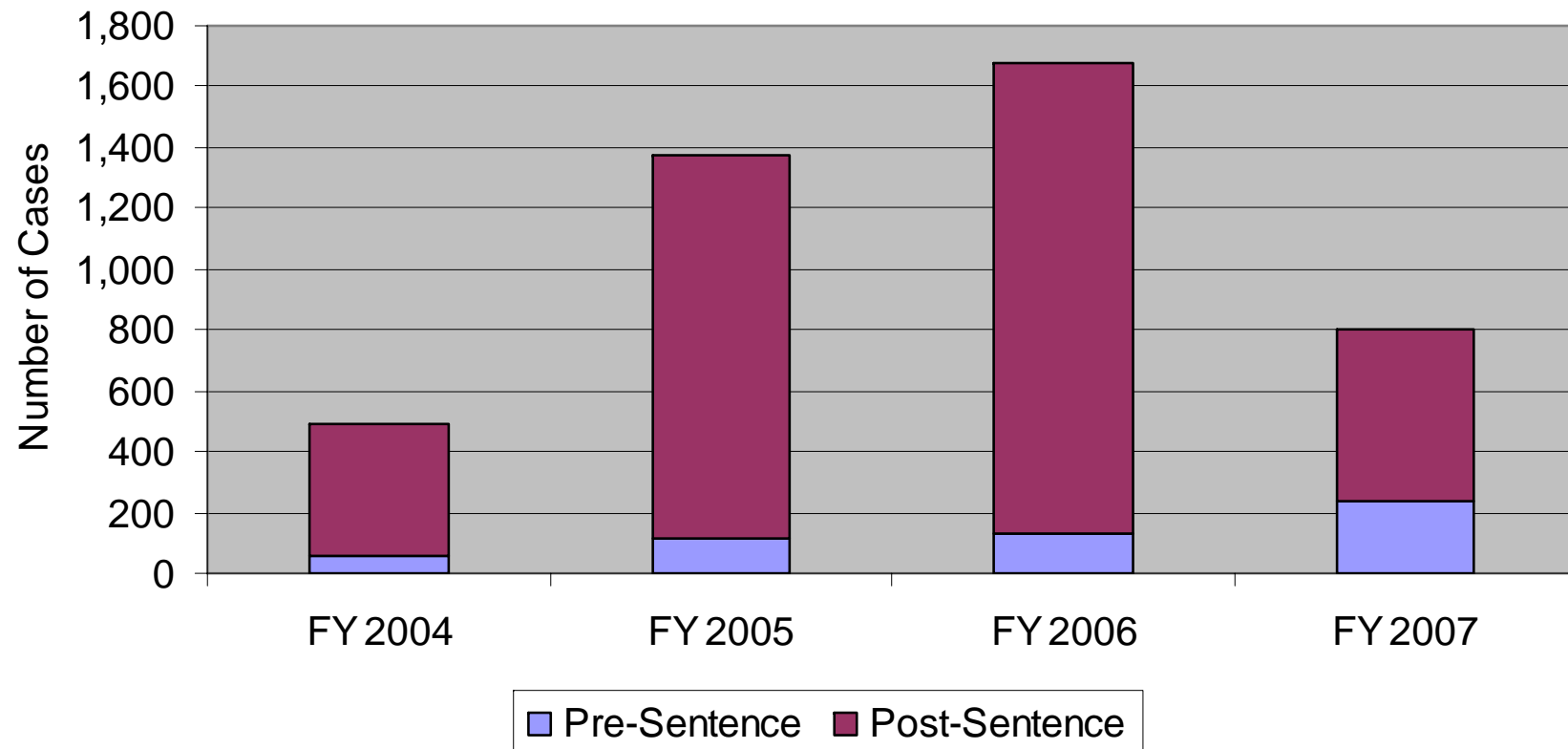
- **1674 Cases under SB 123**
 - 131 (7.8%) Pre-Sentence
 - 1543 (92.2%) Post-Sentence

FY 2007 *(to Nov. 30, 2006)*

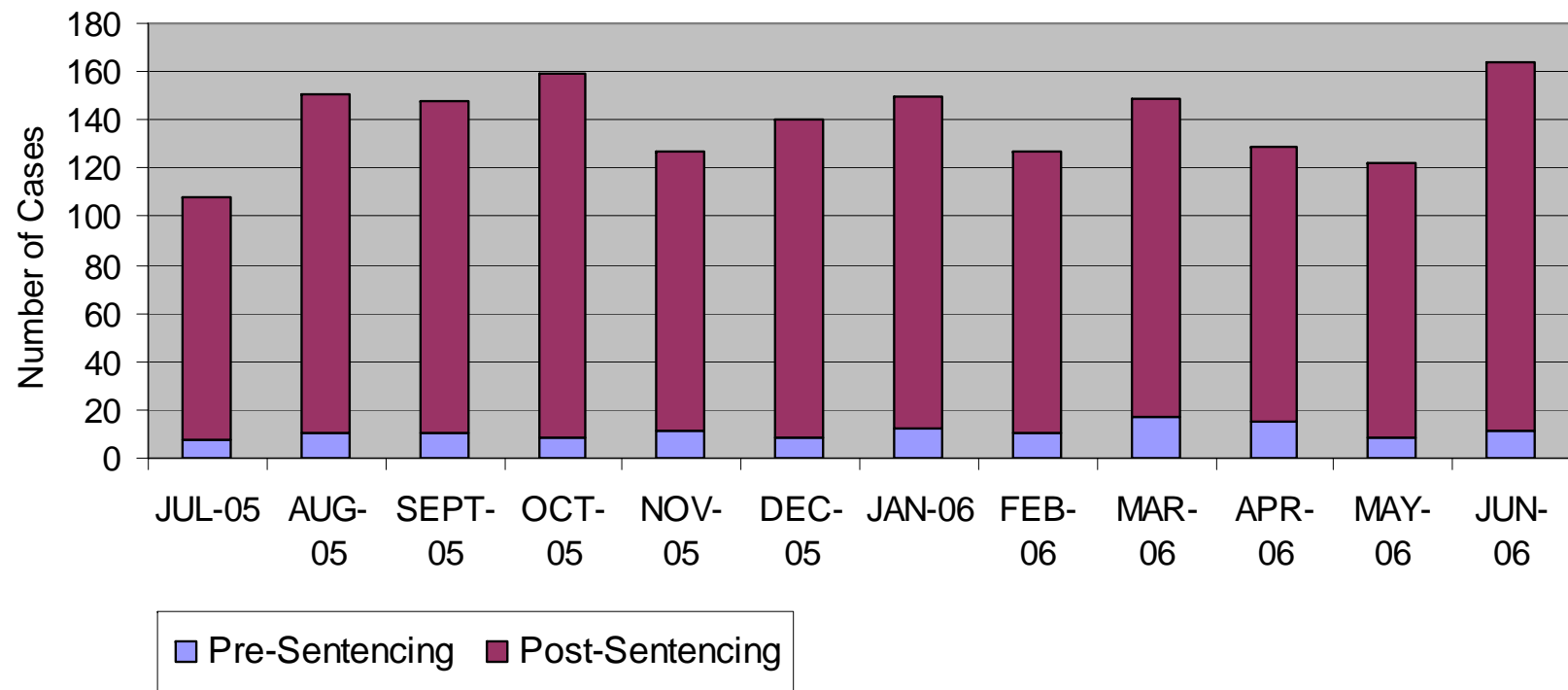
18.4% of Cases to date

- **798 Cases under SB 123**
 - 234 (29.3%) Pre-Sentence
 - 564 (70.7%) Post-Sentence

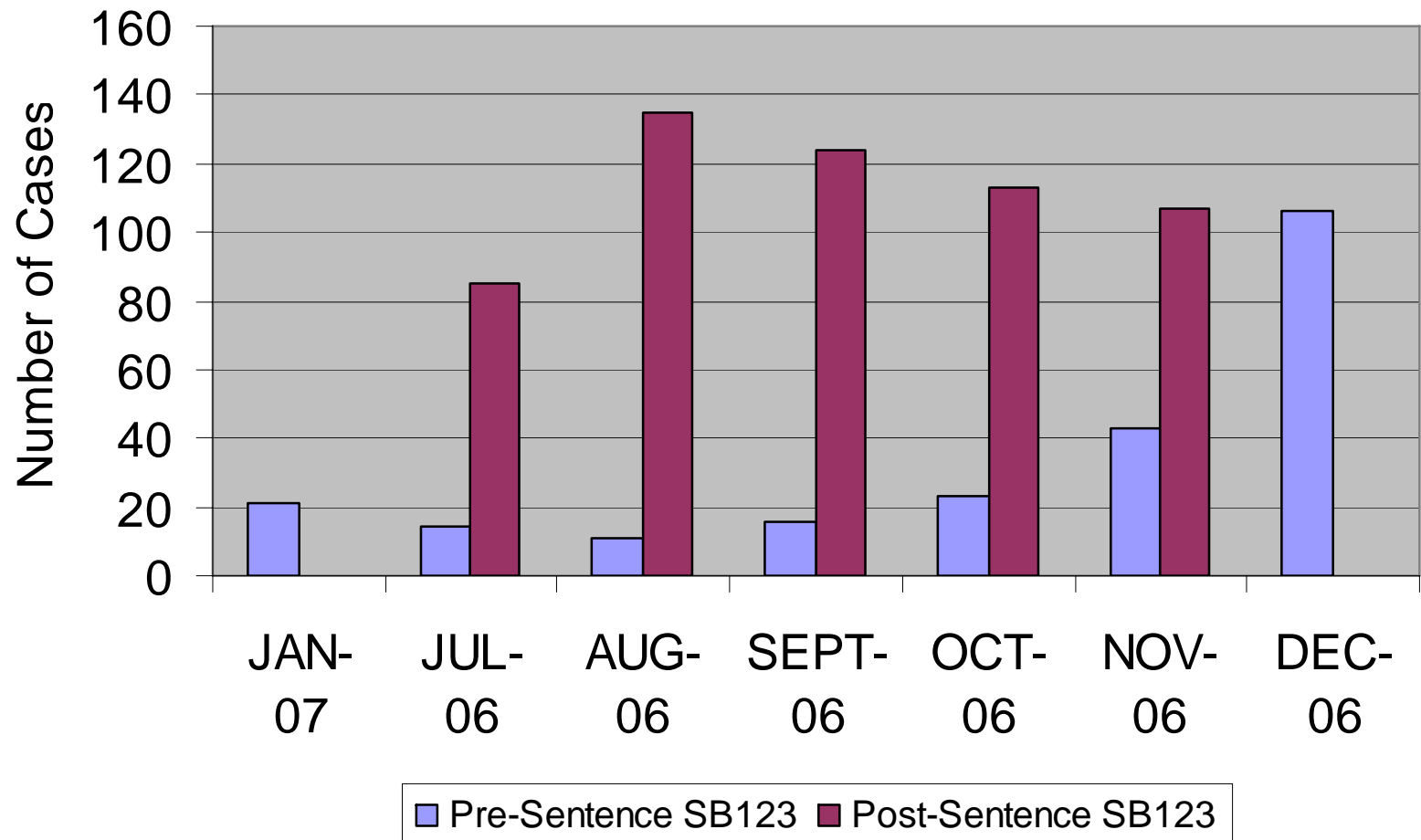
123 Cases by Pre/Post Sentencing Date November 1, 2003 - November 30, 2006



123 Cases by Pre/Post Sentencing Date Fiscal Year 2006



Cases by Pre/Post Sentencing Date Fiscal Year 2007



1. All Cases

Of the 4332 Cases:

Continuing with Supervision & Tx	2588	59.7%
Successful	797	18.4%
Not Sentenced to CC	328	7.6%
Revoked: Condition Violation	436	10.1%
Revoked: New Felony	54	1.2%
Revoked: New Misd.	16	0.4%
<i>Revoked: Subtotal</i>	<i>506</i>	<i>11.7%</i>
Death	13	0.3%
Unsuccessful Close	100	2.3%
TOTAL CASES	4332	100.0%

Total may not sum due to rounding

2. "Results" of Closed Cases

Of the 4332 Cases:

•Open Cases:	2588 (59.7%)
•Closed Cases:	1744 (40.2%)

Of the Closed Cases:

Successful	797	45.7%
Not Sentenced to CC	328	18.8%
Revoked: Condition Violation	436	25.0%
Revoked: New Felony	54	3.1%
Revoked: New Misd.	16	0.9%
<i>Revoked: Subtotal</i>	<i>506</i>	<i>29.0%</i>
Death	13	0.7%
Unsuccessful Close	100	5.7%
TOTAL CLOSED	1744	100.0%

Total may not sum
due to rounding

3. Cases Sentenced to 123 Supervised by Community Corrections

Closed Cases:	1744
Less: Not Sentenced to CC	<u>328</u>
	1416
Less: Cases closed due to death	<u>13</u>
Subtotal:	
Cases sentenced under SB 123 and Closed in some way	1403
Revoked: Subtotal	506 (36.1%)
Completed – Closed without Revocation (Successful Case Close By Court & Unsuccessful Close By Court *)	897 (64.0%)

* Unsuccessful Close may be due to items remaining incomplete in Supervision Plan – such as Restitution Payments. Judge did not find such incomplete items sufficient to justify revocation but did not complete/terminate the sentence with the offender “in good standing.”

LSI-R Assessments *(through end of November, 2006)*

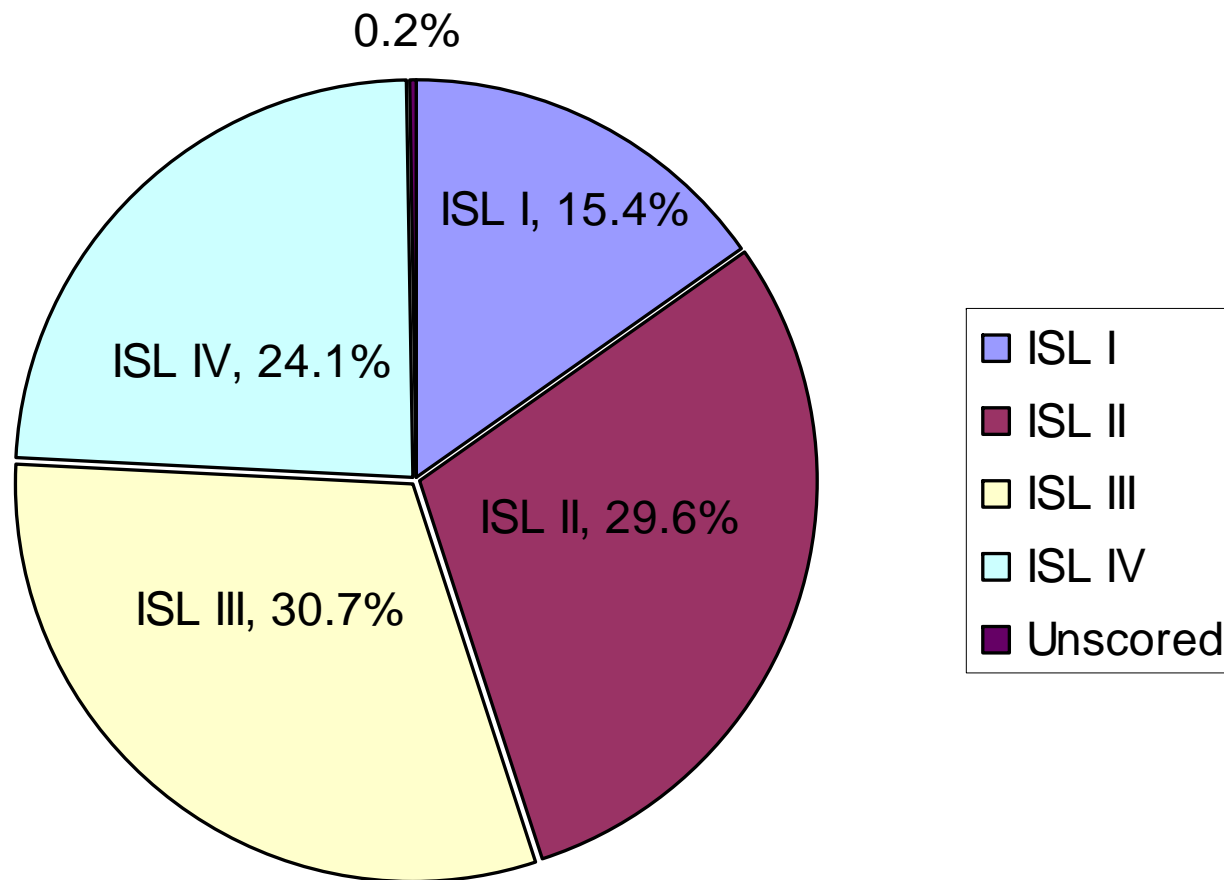
data pulled 12/01/06 an/ksc

Level of Services Inventory – Revised
Supervision Level
Case Management
Risk of Re-offense

LSI-R Assessment

- 7434 LSI-Rs Completed on SB 123 offenders since program inception through November 30, 2006
- Level of Risk → Level of Supervision
 - 1143 (15.4%) at ISL I *(highest)*
 - 2203 (29.6%) at ISL II
 - 2284 (30.7%) at ISL III
 - 1790 (24.1%) at ISL IV *(lowest)*
 - 14 (0.2%) "unscored"

LSI-R: Level of Supervision - Overall (through November 30, 2006)



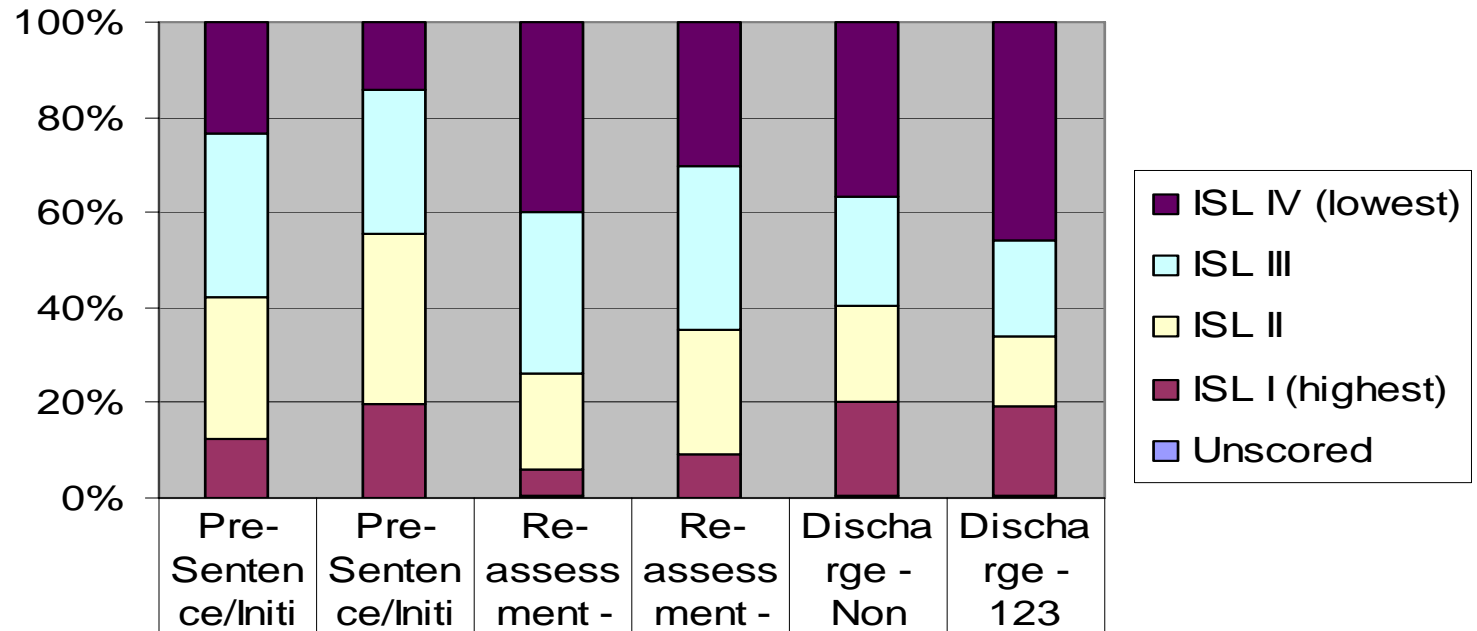
LSI-R Assessment

- **7434 LSI-Rs Completed on SB 123 offenders since program inception**
(through November 30, 2006)

- **When Assessment Completed**

- 3685 (49.6%) at Pre-Sent. /Initial
- 2905 (39.1%) at Reassessment
- 844 (11.4%) at Discharge

Proportion of 123 versus Non123 Comm. Corr. Offenders at Each Supervision level by Time of Assessment



ISL IV (lowest)	23.61%	14.17%	40.05%	30.26%	36.56%	46.09%
ISL III	34.05%	30.12%	33.76%	34.56%	23.02%	20.14%
ISL II	29.85%	35.85%	20.00%	26.16%	20.23%	14.45%
ISL I (highest)	12.38%	19.67%	5.91%	8.92%	19.78%	18.84%
Unscored	0.11%	0.19%	0.28%	0.10%	0.37%	0.47%

Intervention Activity

Substance Abuse Treatment Interventions

(through November 30, 2006)

Intervention Activity *(through November 30, 2006)*

- **15,898 Substance Abuse Treatment Interventions** logged for SB 123 offenders
 - 441.6 average per month over the 36 months
- **Includes Pre-Sentence as well as Post-Sentence**
- **3882 Unique offenders**
 - Mean: 4.0 Average Substance Abuse Interventions per offender
 - Median: 3 *(half above, half below)*
 - Minimum: 1 Maximum: 18

Interventions by Fiscal Year

(based on Date of Referral)

- **FY 2004 (8 months)**
 - 1504 Substance Abuse Interventions
 - 188 average per month
- **FY 2005 (12 months)**
 - 5169 Substance Abuse Interventions
 - 431 average per month
- **FY 2006 (12 months)**
 - 6863 Substance Abuse Interventions
 - 572 average per month
- **FY 2007 (5 months – July- Nov.)**
 - 2361 Substance Abuse Interventions
 - 472 average per month

SB 123 Substance Abuse Treatment Interventions

Program Inception to November 30, 2006

source: TOADS interventions 08/31/06 pb/ksc mm/jm/kdoc file

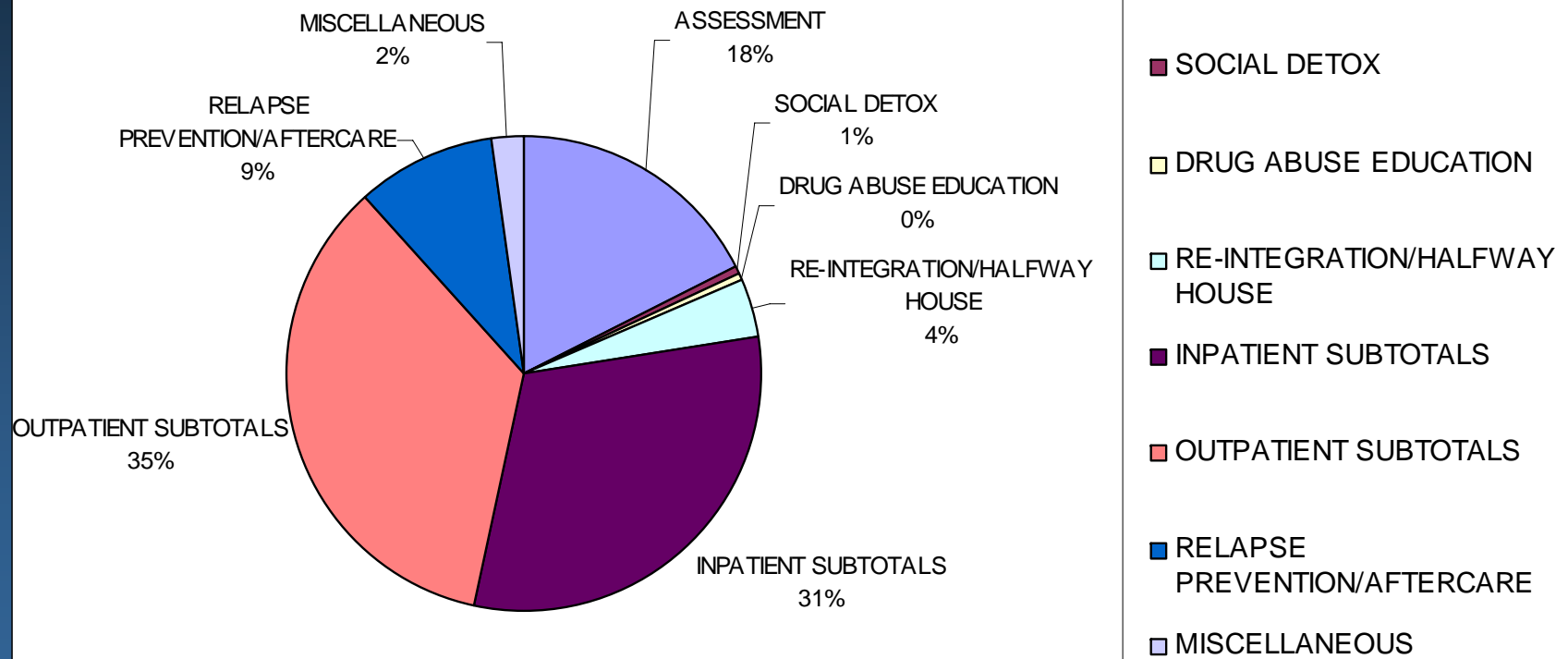
	<u>#</u>	<u>%</u>	
ASSESSMENT	4016	25.3%	
SOCIAL DETOX	133	0.8%	
DRUG ABUSE EDUCATION	131	0.8%	
RE-INTEGRATION	655	4.1%	
INTERMEDIATE/RESIDENTIAL	1564	9.8%	
THERAPEUTIC COMMUNITY	41	0.3%	
<i>Inpatient: Subtotal</i>	6540	41.1%	
DAY TREATMENT	31	0.2%	
INTENSIVE OUTPATIENT	1356	8.5%	
OUTPATIENT - FAMILY	179	1.1%	
OUTPATIENT - GROUP	2802	17.6%	
OUTPATIENT - INDIVIDUAL	2915	18.3%	
<i>Outpatient: Subtotal</i>	7283	45.7%	
RELAPSE PREVENTION/AFTERCARE	1654	10.4%	
Miscellaneous (414 of which are Support Group)	421	2.6%	
TOTAL	15898	100.0%	

SB123 Substance Abuse Treatment Interventions By Modality within Fiscal Year of Referral November 1, 2003 through November 30, 2005

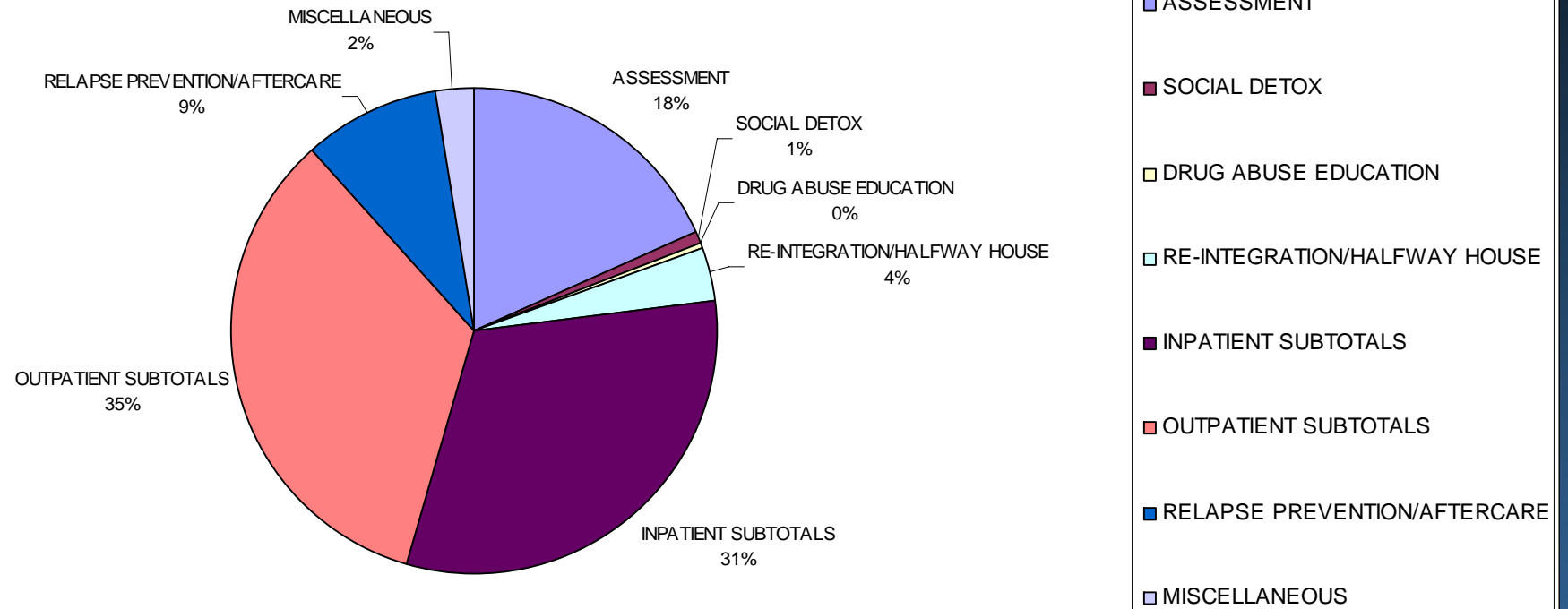
source TOADS Interventions 120106 an

	FY of Referral				TOTAL
	FY 2004	FY 2005	FY 2006	FY 2007	
ASSESSMENT	564	1,334	1,556	562	4,016
SOCIAL DETOX	6	53	49	25	133
DRUG ABUSE EDUCATION	32	47	43	9	131
RE-INTEGRATION/HALFWAY HOUSE	30	180	335	110	655
INTERMEDIATE/RESIDENTIAL	114	473	721	256	1,564
THERAPEUTIC COMMUNITY	4	13	21	3	41
<i>Inpatient Subtotals</i>	750	2,100	2,725	965	6,540
DAY TREATMENT	2	18	11	0	31
INTENSIVE OUTPATIENT	95	421	597	243	1,356
OUTPATIENT - FAMILY	8	66	98	7	179
OUTPATIENT - GROUP	279	1,010	1,115	398	2,802
OUTPATIENT - INDIVIDUAL	265	967	1,289	394	2,915
<i>Outpatient Subtotals</i>	649	2,482	3,110	1,042	7,283
RELAPSE PREVENTION/AFTERCARE	66	482	825	281	1,654
Miscellaneous (>97% are Support Group)	40	104	203	73	420
TOTAL	1,505	5,169	6,863	2,361	15,898
% Total Interventions Referrals to date	9.47%	32.51%	43.17%	14.85%	100.00%

Proportion of Interventions: FY 2006



Proportion of Interventions: FY 2007



SB123 Substance Abuse Treatment Interventions By Termination Reason November 1, 2003 through November 30, 2006

source TOADS Interventions 120106 an

	#	% of Termin. Reason	% Total Interventions Terminated ("Closed")	% Total Interventions Remaining Open
ADMINISTRATIVE	985	6.2		
CHANGED MODALITY - LESS INTENSIVE	2,849	17.9		
CHANGED MODALITY - MORE INTENSIVE	1,256	7.9		
DEATH	9	0.1		
ENGAGED AT TIME OF DISCHARGE	1	0.0		
INTENTIONAL NON-COMPLIANCE	1,739	10.9		
MEDICAL	32	0.2		
REACHED MAXIMUM BENEFITS	1	0.0		
REFUSED TO COMPLY WITH PROGRAM RULES	15	0.1		
REFUSED TO ENTER PROGRAM	3	0.0		
SUCCESSFUL ASSESSMENT COMPLETION	3,700	23.3		
SUCCESSFUL COMPLETION OF SB123 TREATMENT	2,367	14.4		
Subtotal: Terminations	12,957		81.0	
Interventions remaining open as of 11/30/06	2,941			18.5
TOTAL INTERVENTIONS	15,898			

Treatment Payments

Source: KSC Payments Database

Based on:

- Invoices Received and Processed for Payment through November 30, 2006
 - Date Service Rendered

FY 2007 Treatment Service Payments Made by Kansas Sentencing Commission Based on Services Rendered Date

Modality	Amount Paid	Units Paid	Avg Units/ Offender	# of Invoices	# of Offenders	Avg Cost/ Unit	Avg Cost /Offender
Assessment	\$84,410.00	442.00 asmts	1 asmts	442	441	\$190.97	\$191.41
Social Detox	\$14,310.00	81.00 days	3.52 days	24	23	\$176.67	\$622.17
Therapeutic Community	\$46,500.00	310.00 days	51.67 days	13	6	\$150.00	\$7,750.00
Intermediate/Residential	\$1,049,600.00	6486.00 days	26.69 days	403	243	\$161.83	\$4,319.34
Day Treatment		days	days	0			
Intensive Outpatient	\$749,258.75	20251.25 days	63.48 days	702	319	\$37.00	\$2,348.77
Outpatient - Individual	\$200,890.00	2662.25 hours	4.24 hours	1276	628	\$75.46	\$319.89
Outpatient - Group	\$321,573.75	12918.75 hours	22.47 hours	1294	575	\$24.89	\$559.26
Outpatient - Family	\$975.00	13.00 hours	1.86 hours	8	7	\$75.00	\$139.29
Re-Integration	\$239,135.00	6507.00 days	47.5 days	301	137	\$36.75	\$1,745.51
Relapse Prevention/Continuing Care	\$71,625.00	2890.00 sessions	6.72 sessions	1009	430	\$24.78	\$166.57
Post Discharge Assessment - 3rd ASI	\$2,400.00	24.00 days	1 days	24	24	\$100.00	\$100.00

TOTAL PAID FY 2007 TO DATE	\$2,780,677.50	TOTAL INVOICES PROCESSED	4258
Less Assessments	\$84,410.00		
Amount Pd for TX Services	\$2,696,267.50		
Number of Offenders	1614		
Number of Offenders in TX	1378		
Cost per Offender in TX in FY 2007 to date	\$1,956.65		
Plus Avg per Assessment	\$190.97		
Average '07 TX & Assmt Cost per offender	\$2,147.62		

Note: Average cost is not reflective of 12 months' treatment. Average cost is total expenditure divided by number in treatment (with assessment cost added in). If an individual was in treatment for only a portion of the year, only that portion of his/her treatment costs are considered in this report.

Invoice Submissions Offender Reimbursements Insurance Payments

Invoices

- Submitted to KSC
- With signatures of Treatment & Supervising Officer, CC Director
- Matched against TOADS – as entered by Community Corrections - for Interventions, SB 123 Offender & Case information
- Within Cost Caps
- All Information Completed
- Rejection of Incomplete, Incorrect Invoices

Applicability

- Legislation calls for sentence to be “up to 18 months” in duration
 - Bills submitted for treatment occurring beyond 18 months from sentencing date will be denied.
- Legislation calls for a SB 123 sentence to be available to a target population of drug possession offenders (i.e., those whose current conviction is for a violation of K.S.A. 65-4160 or K.S.A. 65-4162).
 - Offenders sentenced for offenses not inclusive of K.S.A. 65-4160 or K.S.A. 65-4162 cannot have treatment paid out of SB 123 funds.

Modalities

- **Intermediate/Residential**
 - Under no circumstances will a bill be paid by the Kansas Sentencing Commission for an offender engaged in Intermediate/Residential treatment beyond 90 days.
 - Anticipated guideline for duration in Intermediate/Residential was 7-40 days in length. *It is recommended strongly* that any duration beyond 40 days be well documented for need and appropriateness and that clear communication lines exist between the supervising agency and the treatment provider.
- **Inpatient Treatment services: Therapeutic Community , Intermediate Residential, Reintegration**
 - shall include a minimum of one group family session per each 30 days of inpatient treatment as an included part of the inpatient treatment.
 - This applies when the family is able, willing, and available to participate in the offender's recovery process.

Modalities

- “Reintegration/Halfway-House” is now simply “Reintegration.”
 - The motivation for this change is to emphasize that the reintegration focus is a recovery/treatment-based focus – whereas the “halfway house” was more of a correctional intervention. Note that this modality continues to require a minimum of 10 hours of structured clinical activity per week which shall include at a minimum three hours of scheduled, structured individual, group or family outpatient services.
- “Relapse Prevention/Aftercare” is now called “Relapse Prevention/Continuing Care”.
- Day Treatment as an approved SB 123 treatment modality has been removed.
 - In over 2 years’ experience with the program there were only approx. 30 interventions for this modality.

Billing Clarifications/Changes

- Inpatient treatment and Outpatient treatment services cannot be billed for the same day.
- For inpatient treatment services (i.e., TC, Intermediate/Residential, Reintegration) the first day of arrival for treatment services may be billed but the last day of inpatient treatment cannot be billed.
- The cost cap for Intensive Outpatient is \$40/hour.
 - If provider is delivering 15 hours of clinical services per week, the net dollars works out the same (i.e., \$600 per person per week of treatment).

Invoice Submission for Payment

- Invoices shall be submitted to Community Corrections agencies *within ten working days* of the end of the previous month.
- Once the invoices have been received, the community corrections agency has *five working days* to review the invoice for accuracy and completeness, obtain the signatures and authorize payment by the Sentencing Commission.
- Invoices received from treatment providers submitted for treatment later than 45 days from the end of the month for which treatment is being billed *shall be denied* by the ISO and director, clearly identified on the invoice as denied, and sent to the Sentencing Commission as a denied claim.

SB 123 Invoice Submission Dates for CY 2007

December Invoices

JANUARY						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

January Invoices

FEBRUARY						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28			

February Invoices

MARCH						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

March Invoices

APRIL						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

April Invoices

MAY						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

May Invoices

JUNE						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30

June Invoices

JULY						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

July Invoices

AUGUST						
S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August Invoices

SEPTEMBER						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

September Invoices

OCTOBER						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

October Invoices

NOVEMBER						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

November Invoices

DECEMBER						
S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

 = Date due to Community Corrections from Treatment Providers

 = Date due for invoices to be sent to Kansas Sentencing Commission by Community Corrections

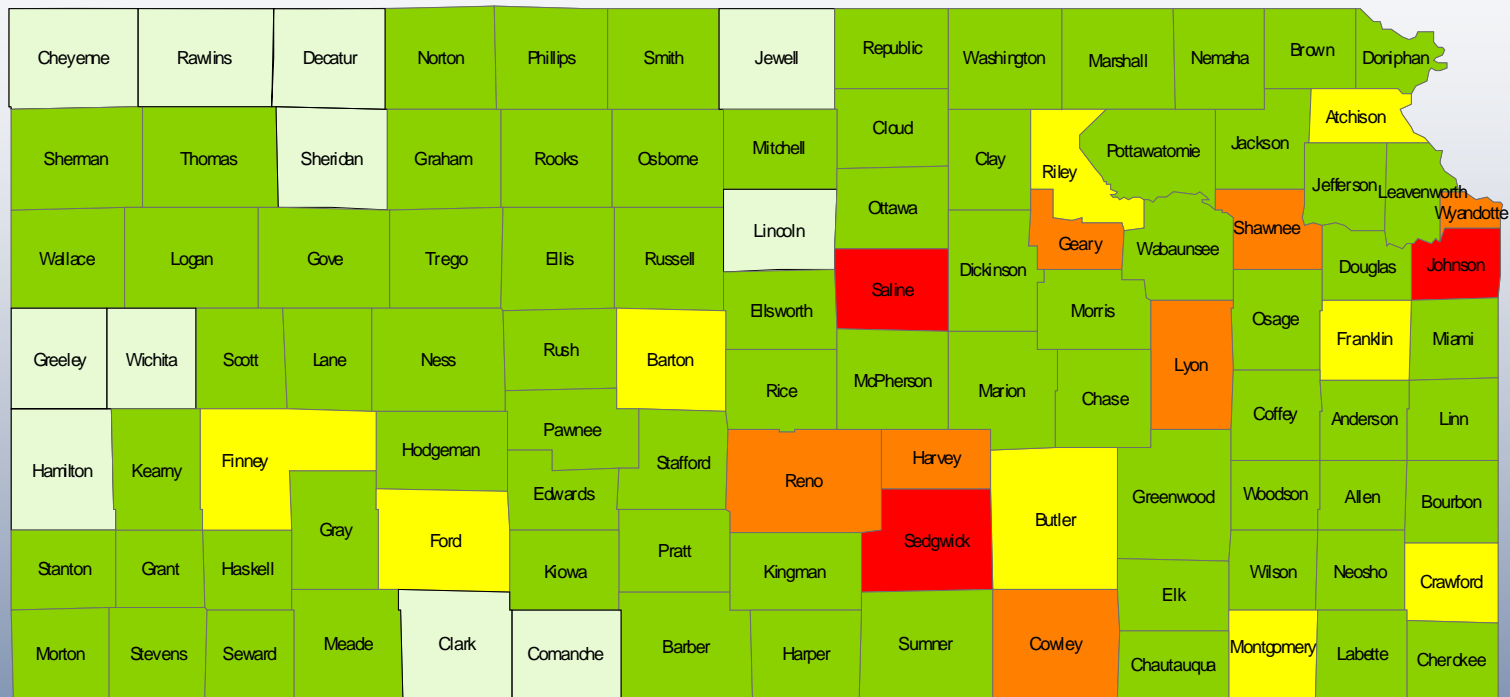
Summary of SB 123 Assessments and Treatment

Based on Assessment Reports Received
as of November 9, 2006

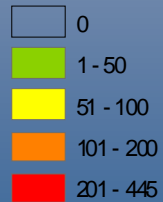
SB 123 Assessment reports received by 11/9/06: 3,430

- **Of the 3,430 offenders,**
- **3,332 (97.1%) had an SB123 Assessment**
- **1,946 (56.7%) had the initial ASI**
- **546 (15.9%) had the second ASI**
- **119 (3.5%) had the third ASI.**

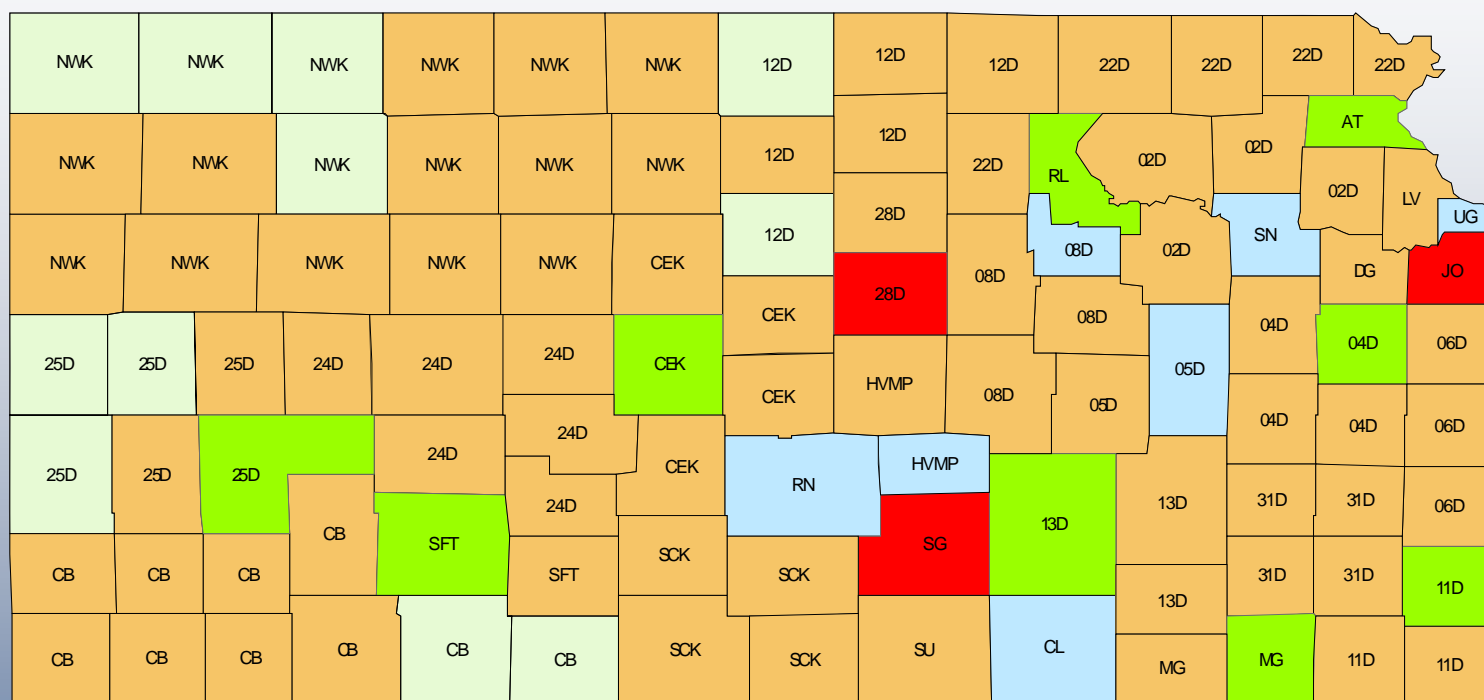
SB 123 Offenders under Treatment by County As of November 9, 2006



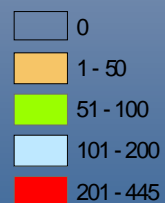
Offender



**SB 123 Offenders under Treatment by Community Correction
As of November 9, 2006**



Offender #

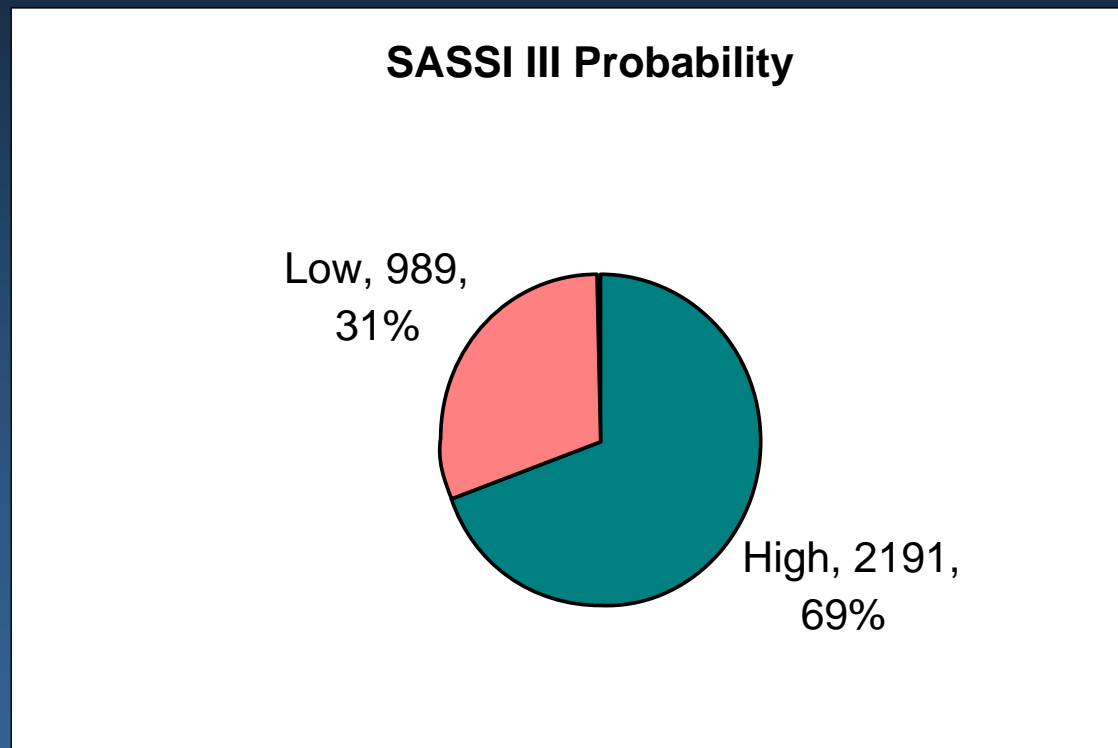


μ

SB 123 Offenders under Treatment Listed by Community Corrections Office

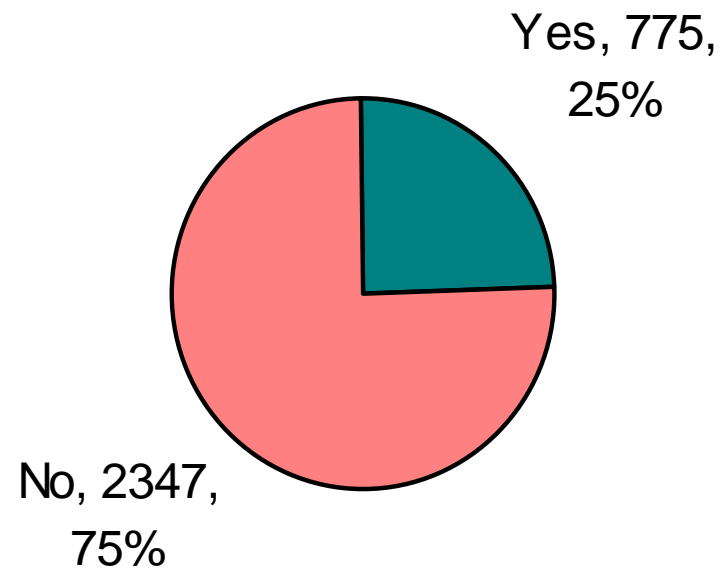
<u>Comm. Corr. Dist.</u>	<u>No.</u>	<u>Percent</u>	<u>Comm. Corr. Dist.</u>	<u>No.</u>	<u>Percent</u>
2nd JD	50	1.5	Douglas County	27	0.8
4th JD	122	3.6	Harvey/McPherson	140	4.1
5th JD	110	3.2	Johnson County	394	11.5
6th JD	41	1.2	Leavenworth County	28	0.8
8th JD	171	5.0	Montgomery County	72	2.1
11th JD	106	3.1	Northwest Kansas	76	2.2
12th JD	13	0.4	Riley County	61	1.8
13th JD	67	2.0	Reno County	177	5.2
22nd JD	61	1.8	South Central KS	42	1.2
24th JD	40	1.2	Santa Fe Trail	93	2.7
25th JD	63	1.8	Sedgwick County	445	13.0
28th JD	243	7.1	Shawnee County	182	5.3
31st JD	84	2.4	Sumner County	13	0.4
Atchison County	70	2.0	Unified Government	196	5.7
Cimarron Basin			Missing	<u>3</u>	<u>0.1</u>
Authority	47	1.4			
Central Kansas	82	2.4	Total	3,429	100.0
Cowley County	110	3.2			

SASSI III: Probability of Having a Substance Dependence Disorder

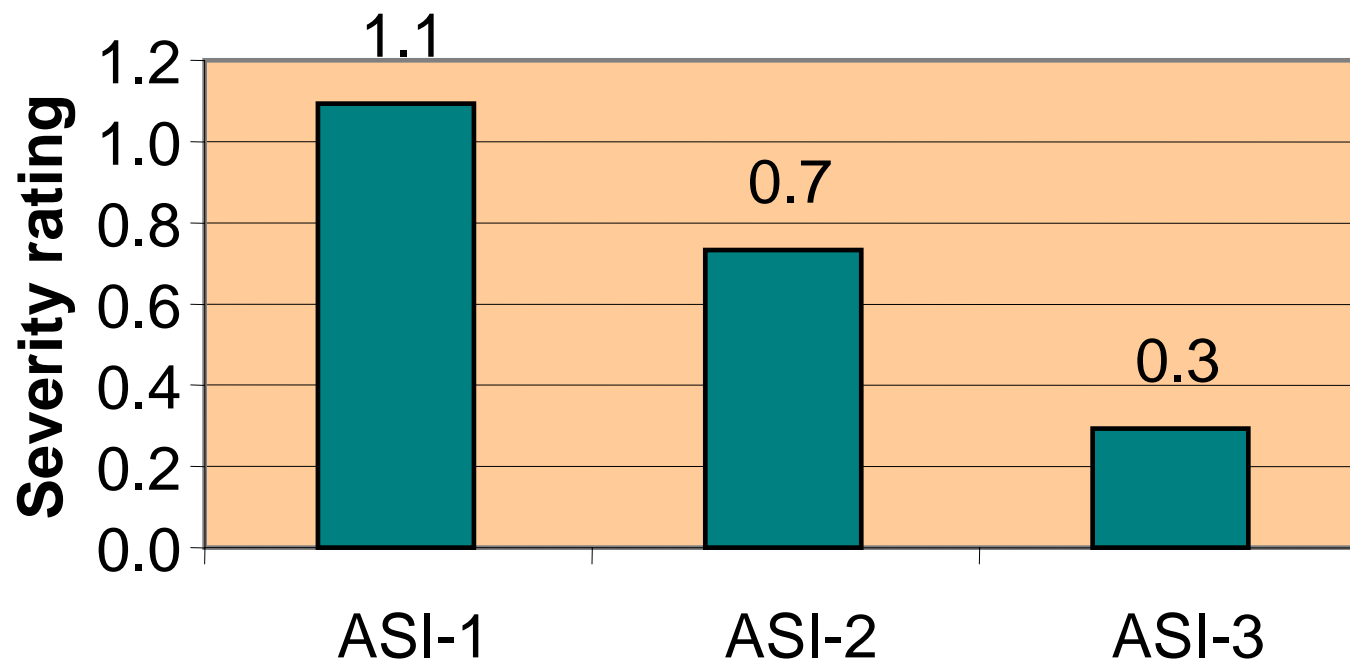


SASSI III:

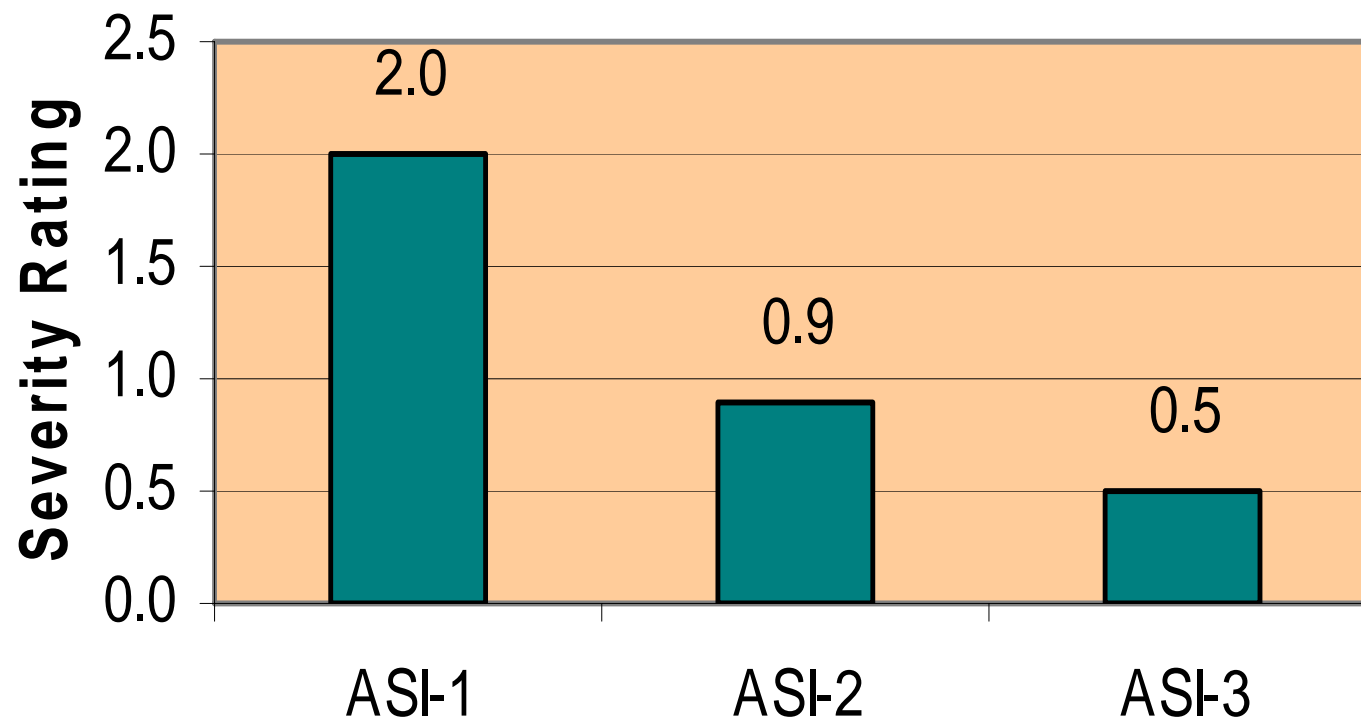
Mental Health Screen Referral



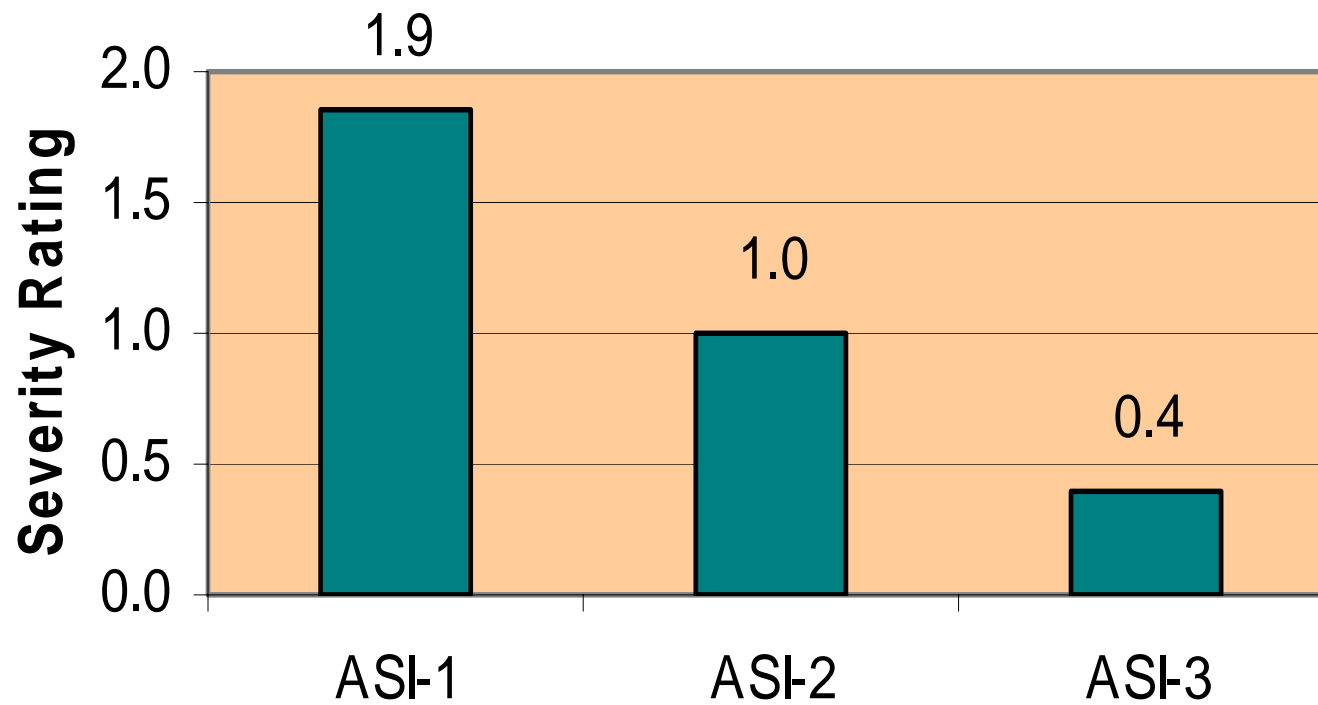
Comparison of ASI Problems Medical



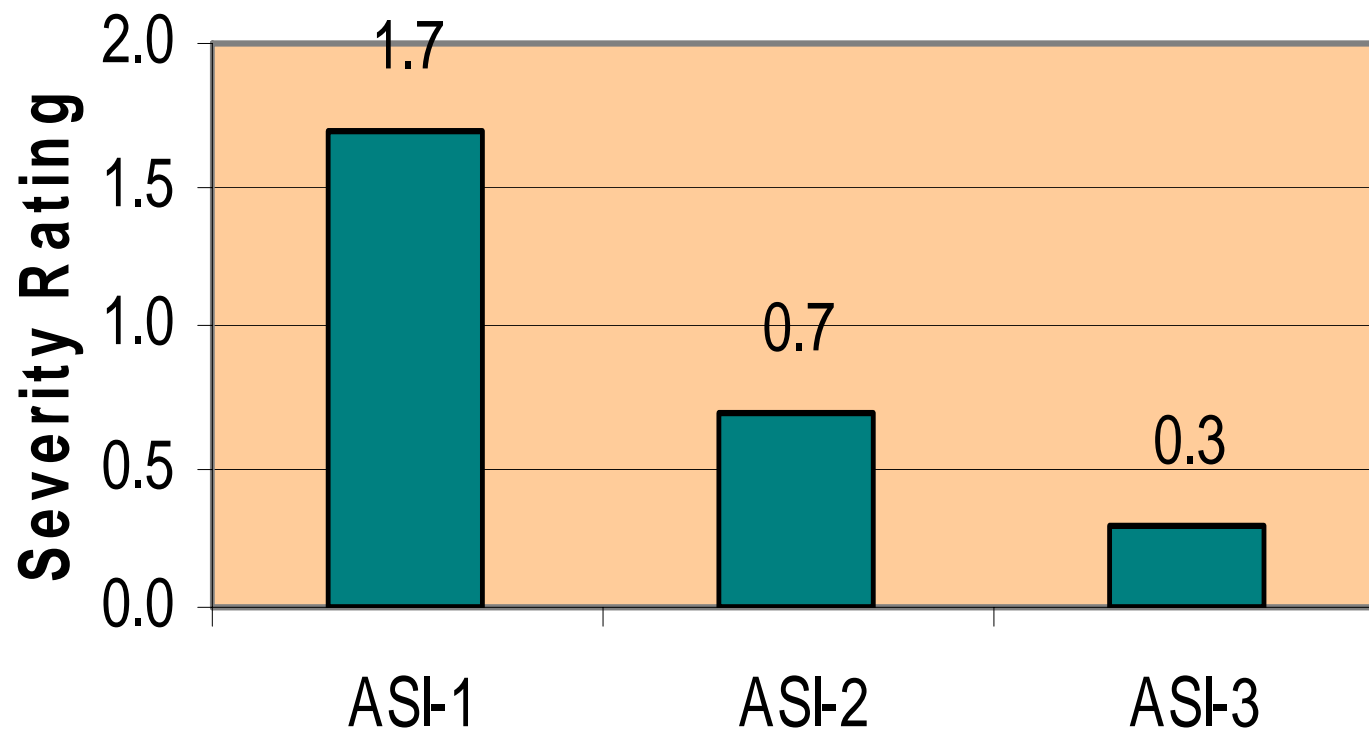
Comparison of ASI Problems Family/Social



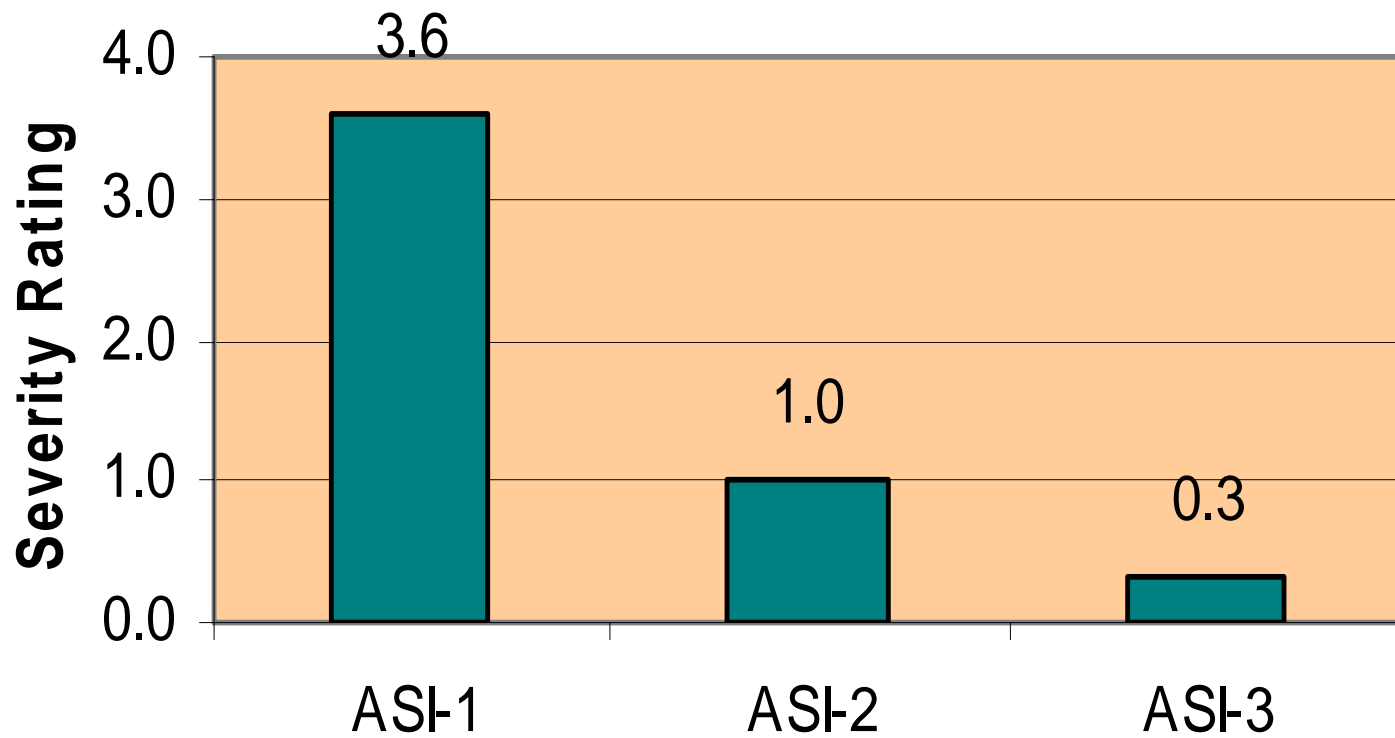
Comparison of ASI Problems Psychiatric



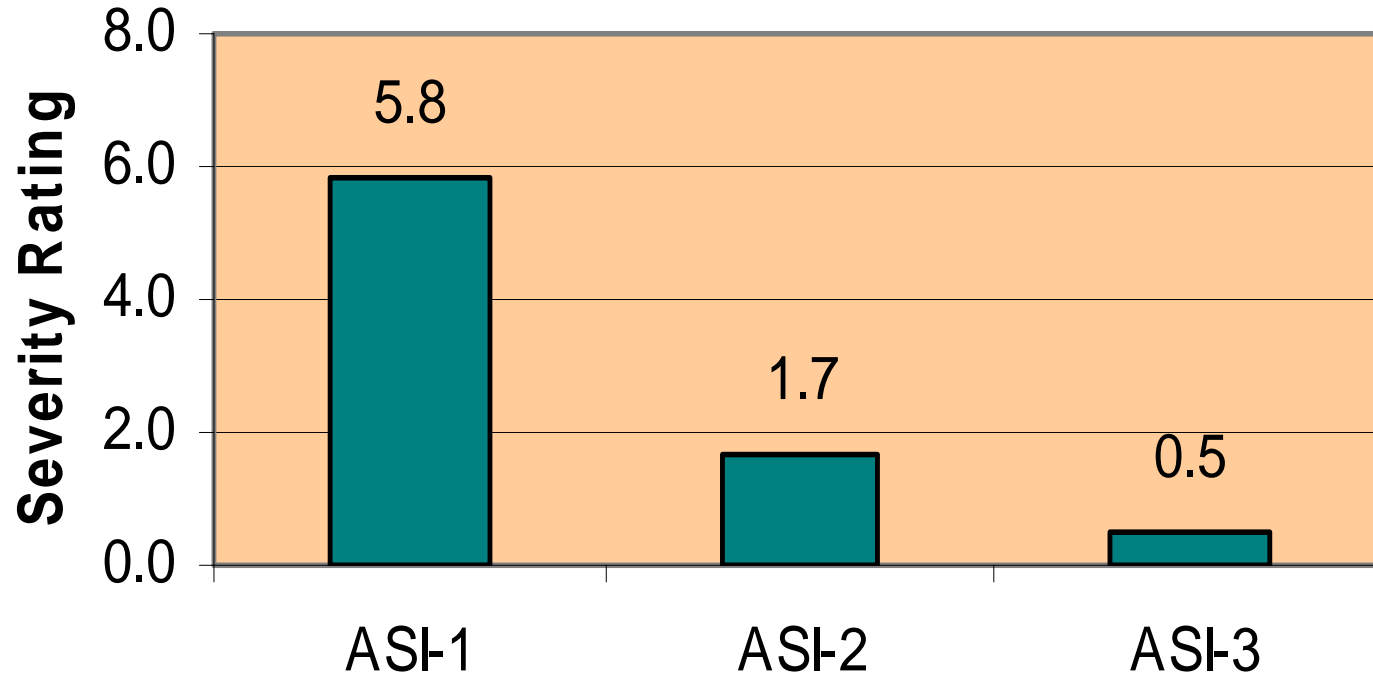
Comparison of ASI Problems Employ/Support



Comparison of ASI Problems Alcohol



Comparison of ASI Problems Drug



Comparison of ASI Problems Legal

